

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111
Serial Number: 09/350,251
Filing Date: July 08, 1999
Title: TRAY FLIPPER AND METHOD FOR PARTS INSPECTION

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S/N 09/350,251

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Arye Malek et al.

Examiner: John Q. Nguyen

Serial No.: 09/350,251 Confirmation #7789

Group Art Unit: 3654

Filed: July 08, 1999

Docket: 6139.059US1

Title: TRAY FLIPPER AND METHOD FOR PARTS INSPECTION

AMENDMENT AND RESPONSE AFTER FINAL UNDER 37 C.F.R. § 1.116

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant is filing herewith a Notice of Appeal. Applicant believes that no fee for the Notice of Appeal is due since Applicant previously appealed twice, the first time paying the \$160 Notice of Appeal fee by check on July 15, 2003, and the second time the \$250 Notice of Appeal fee was debited from Deposit Account 502931 on December 30, 2004, and it was the Examiner who pulled the case from appeal in both instances. However, if any fee is due for this response or for the Notice of Appeal, please charge Deposit Account 502931.

Applicant has carefully reviewed and considered the Advisory Action mailed April 7, 2007. In the April 7th Advisory Action, the Examiner did not consider any of the arguments in the Applicant's April 5, 2007 Response to the February 5, 2007 Final Office Action. Rather, solely on the basis of Applicant's *de minimus* alteration of language in claim 21 from perpendicular to "a longer" side to perpendicular to "the length" side in Applicant's Response to Final Office Action as required by the Examiner, the Examiner in the April 7th Advisory Action maintained that "The proposed change to claim 21 raises new issues that would require further consideration and search." Applicant respectfully traverses. (It is to be pointed out that Applicant's April 5th *de minimus* change in language to claim 21, to clarify antecedent basis, was necessitated by the Examiner's remark in the February 5th Final Office Action: 'In claim 21, it is not clear how the "longer side" is related to the "length side".') The Examiner did not explicitly